



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Patent Cooperation Treaty
Legal Office

#17

Address: Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

JAN 12 2000

HOWARD K. SHAPIRO, PhD.
214 PRICE AVENUE, APT. F32
NARBERTH, PA 19072

In re Application of
SHAPIRO

Serial No.: 09/194,619

PCT No.: PCT/US96/13850

Int. Filing Date: 29 August 1996

Priority Date: 01 September 1995

Attorney Docket No.: P-1018

For: METHOD AND COMPOSITIONS FOR
DEVELOPMENT OF DRUG SCREENING
PROCEDURES AND DIAGNOSTIC TOOLS

DECISION ON RENEWED
PETITION FOR REVIVAL
UNDER 37 CFR 1.137(b)

This is in response to applicant's "Renewed Petition to Revive Under 37 CFR 1.137(b)" filed 12 August 1999 in the above-captioned application.

On 10 March 1999, applicant's Petition for Revival under 37 CFR 1.137(b) was dismissed without prejudice indicating that applicant failed to provide the required reply, that is, *inter alia*, an expressed intention to enter the national stage under 35 U.S.C. 371, the appropriate petition fee and an adequate explanation of the entire delay in filing the required reply from the due date of the reply until the filing of a grantable petition.

On 12 May 1999, applicant requested a one month extension of time and submitted the appropriate fee of \$55. On 12 June 1999, applicant requested an additional two month extension of time and submitted \$110, which was an incorrect amount for extension of time fees.

On 29 September 1999, the undersigned faxed a communication to applicant indicating that he had submitted an incorrect fee for a three month extension of time and that the correct fee for a five month extension of time, which was required to review his petition to revive, was \$925. The balance of \$760 in fees was required and must be received by 10 October 1999.

On 04 October 1999, applicant submitted an additional balance of \$760 due for the five month extension of time.

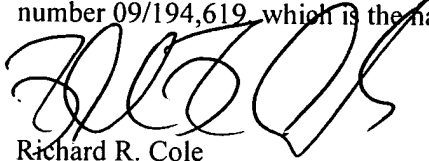
The renewed petition to revive under 37 CFR 1.137(b) filed 10 August 1999 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" along with applicant's detailed explanation of the delay meets the requirements of 37 CFR 1.137(b)(3).

A review of the application file reveals that the required petition fee has been paid and the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing including the issuance of a Notification of Missing Requirements indicating that the \$65.00 surcharge for filing the oath or declaration after the 20 month period is required.

Applicant is advised that all future correspondence and payment of fees should reference U.S. serial number 09/194,619, which is the national stage application of international application PCT/US96/13850.



Richard R. Cole
Legal Examiner
PCT Legal Office



Cynthia M. Kratz
Petitions Attorney
PCT Legal Office

CMK/RRC:cmk

Telephone: 703-306-5467